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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,375	10/25/2001	Todd Fischer	10012680-1	2870

7590 08/19/2004

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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HEWITT II, CALVIN L

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 08/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/053,375

**Applicant(s)**

FISCHER, TODD

**Examiner**

Calvin L Hewitt II

**Art Unit**

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

### A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Status of Claims***

1. Claims 1-20 have been examined.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 6-10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 6-8 recite a “data retrieval/encryption system” that performs various tasks such as locating and encrypting information and sending said encrypted information to a remote print system. The Applicant’s disclosure, however, merely mentions a “data retrieval/encryption system” and does not teach how it interacts with a remote print system and/or a user (Specification, page 5, lines 6-17; page/line 11/13-12/2).

Claim 7 is also rejected as it depends from claim 6. Claims 9 and 10 are also rejected as they depend from claim 8.

4. The following is a quotation of the second paragraph of 35 U.S.C.

112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 recites the limitation "the data retrieval/encryption system" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claims 9 and 10 are also rejected as they depend from claim 8.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 11, 12, 14, 15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher, U.S. Patent No. 5,897,260 in view of Maldy, U.S. Patent No. 5,956,406.

As per claims 1-3, 11, 12, 14, 15, and 18, Zingher teaches a print job allocation system comprising a remote print system (second location) for receiving and printing a customer (i.e. print request system or first location) print order (abstract; figure 1). Zingher also discloses communication with the remote print system over wireless networks (column 3, lines 25-40). As per claims 6 and 7, Zingher teaches that all communication between parties participating in the print job allocation system can be encrypted (column 3, lines 40-51). Zingher teaches a computer (e.g. data retrieval/encryption system) (figure 1, item 30; column 4, lines 57-65) in communication with a remote print system over a network (figure 1) that locates and communicates information to the print system of said network (abstract; column 3, lines 25-40; column/line 4/66-5/15). Further, Zingher teaches a user connected to the internet, for example, through AOL (column 3, lines 35-40). (Claim 7) A well-known method for accessing information to be printed using a computer (i.e. data retrieval/encryption system) is via the internet. However, Zingher does not specifically recite a remote print system providing an encryption key to a computer over a communication network. Maldy teaches a system for providing secure communication between parties where users generate

public/secret key pairs and provide the other party with the public key (e.g. encryption key). Therefore, it would have been obvious to one of ordinary skill to combine the teachings of Zingher and Maldy in order to exchange confidential information between parties ('406, column 1, lines 5-55; '260, column 3, lines 40-51).

7. Claims 4, 5, 13, 16, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher, U.S. Patent No. 5,897,260 and Maldy, U.S. Patent No. 5,956,406 as applied to claims 3, 15 and 18 above, and in further view of Chomet, U.S. Patent No. 4,645,873.

As per claims 4, 5, 13, 16, 17 and 20, Zingher teaches a print job allocation system where communications between a print request system and a print system are encrypted (abstract; figure 1; column 3, lines 40-50). Maldy teaches setting up secure communications between two parties where one party sends an encryption key to another for encrypting information to be sent back to the first party (column 1, lines 20-47). However, neither Zingher nor Maldy teach displaying the key. Chomet teaches communications over an electronic network where, to facilitate secure communications between parties, a sender provides a receiver with sender's address and public key, which is displayed to the receiver (figure 4; column 3, lines 25-50) who in turn provides the key. Therefore, it would have been obvious to one of ordinary skill to combine the teachings

Zingher, Maldy and Chomet in order provide an efficient method for retrieving public keys ('873, column 3, lines 35-38)

8. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher, U.S. Patent No. 5,897,260 in view of Maldy, U.S. Patent No. 5,956,406 and Barkan, U.S. Patent No. 5,864,667.

As per claims 8-10, Zingher teaches a print job allocation system where communications between a computer (e.g. print request system) and a print system are encrypted (abstract; figure 1; column 3, lines 40-50). Zingher teaches the computer receiving information (column 7, lines 38-55). Zingher also teaches the print request system as a portable computing device as Zingher discloses communication with the remote print system over wireless networks (column 3, lines 25-40). Maldy teaches setting up secure communications between two parties where one party sends an encryption key to another for encrypting information to be sent back to the first party (column 1, lines 20-47). However, neither Zingher nor Maldy explicitly recite a computer communicating an encryption key and associated data to a retrieval/encryption system. Barkan teaches a computer coupled to an encryption machine (e.g. data retrieval/encryption system) (figures 1 and 2) each with their own user interface (column 5, lines 10-14 and 19-21) where the computer receives information (if it can receive a key the computer can configured to receive

additional information and vice versa) and sends information to an encryption machine (e.g. data retrieval/encryption system) (column 5, lines 15-48). Regarding "wireless communication" (claim 10), Barkan teaches a computer connected to an encryption machine via a communication channel (figure 1, item 311). To one of ordinary skill, a well-known means for exchanging data between computers or computing devices is over a wireless channel. Therefore, it would have been obvious to one of ordinary skill to combine the teachings of Zingher, Maldy and Barkan in order to receive a public key ('667, column 5, lines 35-43) of a public/private pair ('667, abstract; '406, abstract, column 1, lines 15-47) for conducting secure communications ('260, column 3, lines 40-50) with the print plant ('260, figure 1).

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Freedman teaches an automated printing control system
- Moghadam teaches remote image processing



Art Unit: 3621

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (703) 308-8057. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James P. Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
c/o Technology Center 2100  
Washington, D.C. 20231

or faxed to:

(703) 305-7687 (for formal communications intended for entry and after-final communications),

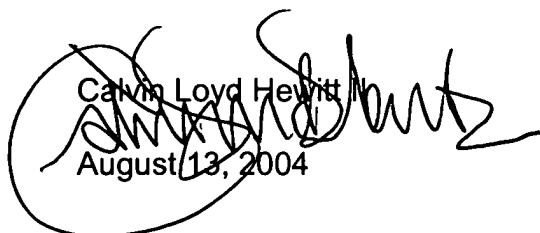
or:

(703) 746-5532 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, 7th Floor Receptionist.

Art Unit: 3621

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

  
Calvin Loyd Hewitt  
August 13, 2004